

Message Text

CONFIDENTIAL

PAGE 01 SAN JO 00239 01 OF 02 22233Z

72

ACTION PM-07

INFO OCT-01 ARA-16 ISO-00 CIAE-00 DODE-00 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 IGA-02 AID-20 DRC-01 /117 W

----- 053019

R 222135Z JAN 74

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC 5988

INFO USCINCSO

C O N F I D E N T I A L SECTION 1 OF 2 SAN JOSE 0239

E.O. 11652: GDS

TAGS: MIL, CS

SUBJECT: RECOMMENDATION FOR CHANGE IN COSTA RICAN MILGRP

BEGIN SUMMARY. THE LETTER AND SPIRIT OF THE
NEW FAA TERMINATING AID TO POLICE FORCES
ABROAD RENDERS UNTENABLE THE MAIN ARGUMENT
USED UP TO NOW FOR MAINTAINING A MILGRP IN
COSTA RICA. AT THE SAME TIME THERE IS A
VALID REQUIREMENT AND NEED FOR SOUTHCOM
REPRESENTATION ON THE EMBASSY STAFF. TO
RESOLVE THIS DILEMMA I RECOMMEND THE CONVERSION
OF MILGRP INTO A TWO-MAN OFFICE--AN
OFFICER AND AN ADMINISTRATIVE/CLERICAL EM--
UNDER THE PRESENT MISSION AGREEMENT WITH THE
GOCR. THE OFFICER, REPRESENTING USCINCSO,
WOULD BE MY MILITARY ADVISER, REPORTING
DIRECTLY TO ME. HE WOULD BE RESPONSIBLE
FOR LIAISON/CONTACT WITH THE SECURITY
FORCES, AND FOR OTHER AUXILIARY MILITARY
FUNCTIONS, E.G. DISASTER ASSISTANCE. I
DO NOT BELIEVE THERE IS ANY OTHER
DEFENSIBLE BASIS FOR CONTINUED MILITARY
REPRESENTATION ON THE EMBASSY STAFF OR ANY
OTHER SATISFACTORY ALTERNATIVE. END SUMMARY
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SAN JO 00239 01 OF 02 22233Z

1. AS THE DEPT. KNOWS, THE LOGIC OF MAINTAINING A FOUR-MAN MILGRP IN COSTA RICA HAS BEEN A PERENNIAL ISSUE, CONSIDERING THE CONSTITUTIONAL PROHIBITION AGAINST A PERMANENT ARMY IN COSTA RICA AND THE ABSENCE OF A MAP. UP TO NOW WE HAVE ARGUED THAT THE PRIMARY PURPOSE AND ROLE OF THE MILGRP IN THESE CIRCUMSTANCES WAS TO PROVIDE ADVISORY ASSISTANCE TO THE CIVIL GUARD, AND IN LAST YEAR'S CASP WE RECOMMENDED THAT IT BE RETAINED FOR THE TIME BEING FOR THAT PURPOSE. WE DID, HOWEVER, RECOGNIZE THAT THE CONCEPTUAL BASIS FOR THE CONTINUED EXISTENCE OF THE MILGRP WOULD HAVE TO BE REVIEWED AS SOON AS WE KNEW, ON THE ONE HAND, WHAT THE NEW COSTA RICAN ADMINISTRATION'S ATTITUDE WAS, AND, ON THE OTHER, WHAT US LEGISLATIVE MANDATES WOULD BE.

2. THE NEW FAA TERMINATING OPS ASSISTANCE (STATE 841) AND THE CONGRESSIONAL INTENT EXPRESSED IN THAT LEGISLATION OBVIOUSLY PROVIDE A NEW CONTEXT AND URGENCY TO THIS PERENNIAL ISSUE. IN MY VIEW, THE MAIN ARGUMENT WE HAVE USED IN THE PAST FOR CONTINUANCE OF THE MILGRP, VIZ., TO ADVISE THE POLICE FORCES IN THEIR CONTINGENCY DEFENSE ROLE, IS NOW NO LONGER TENABLE. HOWEVER DESIRABLE ONE MAY CONSIDER ADVISORY ASSISTANCE IN THE LOCAL CONTEXT OF BILATERAL RELATIONS, TO ATTEMPT TO PROVIDE IT THROUGH A MILGRP WOULD VIOLATE THE SPIRIT OF THE US LEGISLATION, AND I THEREFORE DO NOT BELIEVE THAT THERE IS ANY LONGER A DEFENSIBLE BASIS FOR CONTINUING A FOUR-MAN MILGRP HERE IN THESE CIRCUMSTANCES.

3. AT THE SAME TIME, I BELIEVE THERE IS A VALID REQUIREMENT AND NEED FOR MILITARY REPRESENTATION ON THE AMBASSADOR'S STAFF FOR LIAISON/CONTACT (AS DISTINCT FROM ADVISORY FUNCTIONS) WITH LOCAL SECURITY

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 SAN JO 00239 01 OF 02 22233Z

FORCES, AND TO PERFORM OTHER IMPORTANT AUXILIARY FUNCTIONS SUCH AS SAR, DISASTER RELIEF, ETC. I BELIEVE THE LIAISON FUNCTION AND THE EXPERTISE THAT CAN BE PROVIDED TO THE AMBASSADOR AND THE CT IN THESE AREAS ARE OF PARTICULAR IMPORTANCE GIVEN OUR PRIMARY OBJECTIVE OF MAINTAINING A FAVORABLE COSTA RICAN DISPOSITION TOWARDS US, AS WE

EXPLAINED IN LAST YEAR'S CASP. THE DILEMMA IS THEREFORE UNAVOIDABLY POSED OF HOW (OR WHETHER) WE CAN ELIMINATE THE ADVISORY ROLE WITHOUT LOSING OTHER DESIRABLE FUNCTIONS NOW PERFORMED BY SOUTHCOM REPRESENTATIVES.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 SAN JO 00239 02 OF 02 222317Z

72

ACTION PM-07

INFO OCT-01 ARA-16 ISO-00 CIAE-00 DODE-00 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 IGA-02 AID-20 DRC-01 /117 W

----- 053450

R 222135Z JAN 74

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC 5989

INFO USCINCSO

C O N F I D E N T I A L SECTION 2 OF 2 SAN JOSE 0239

4. TO RESOLVE THIS DILEMMA I RECOMMEND THAT THE MILGRP BE CONVERTED INTO A TWO-MAN MISSION--ONE OFFICER AND ONE EM PROVIDING ADMINISTRATIVE/CLERICAL SUPPORT. THE OFFICER WOULD ESSENTIALLY BE A MILITARY ADVISER TO THE AMBASSADOR, WOULD REPORT DIRECTLY TO HIM AND WOULD BE A MEMBER OF THE COUNTRY TEAM. HIS PRIMARY ROLE WOULD BE TO PROVIDE ADVICE AND GUIDANCE TO THE CT IN MATTERS CONCERNING THE MINISTRY OF PUBLIC SECURITY AND THE CIVIL AND RURAL GUARDS AND TO MAINTAIN CONTACT AND LIAISON WITH THESE ENTITIES. FOR EXAMPLE, I WOULD ENVISAGE THAT THIS OFFICER WOULD ADVISE AND ASSIST USAID WITH REGARD TO THE PROGRAMMING OF ANY US TRAINING FOR POLICE OFFICERS OR BE PREPARED TO ASSIST THE GOCR WERE IT TO WISH TO PURCHASE ANY EQUIPMENT COMMERCIALY BY CASH FMS. HE WOULD ALSO HANDLE ALL AUXILIARY FUNCTIONS AS NEEDED--SAR REQUESTS, MILITARY AIRCRAFT

CLEARANCES, DISASTER RELIEF, PUBLIC RELATIONS, ETC.-- IN SHORT, ALL THE NON-ADVISORY FUNCTIONS NOW PERFORMED BY MILGRP. THIS OFFICER SHOULD REPRESENT USCINCSO AND REPORT TO HIM RATHER THAN DIRECTLY TO DOD. IN SHORT, WHAT I AM
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SAN JO 00239 02 OF 02 222317Z

PROPOSING IS A MUTATION, I.E., THE ESTABLISHMENT OF A NEW KIND OF MISSION OR MILGRP TO MEET THE PECULIAR CIRCUMSTANCES IN COSTA RICA.

5. I SEE NO REASON WHY THE SHIFT FROM THE PRESENT MILGRP STRUCTURE TO THE PROPOSED NEW STRUCTURE CANNOT BE MADE UNDER THE TERMS OF THE 1945 MILITARY MISSION AGREEMENT, SO THAT THE LATTER WOULD CONTINUE TO CONSTITUTE THE LEGAL BASIS FOR THE PRESENCE HERE OF THE MILITARY REPRESENTATION. INDEED, I BELIEVED THIS THE MOST DESIRABLE COURSE TO FOLLOW. TO ATTEMPT TO NEGOTIATE A NEW AGREEMENT WOULD BE UNDESIRABLE. IT WOULD BE DIFFICULT AND TIME-CONSUMING; IT MIGHT INVITE APPETITES WE COULD NOT SATISFY; AND THE GOCR WOULD PROBABLY NOT ITSELF WANT TO GO THROUGH A LEGISLATIVE RATIFICATION PROCESS FOR DOMESTIC POLITICAL REASONS. TO DO IT BY SIMPLY ACCREDITING PERSONNEL TO THE EMBASSY STAFF PRESENTS ANOMALIES WE CANNOT JUSTIFY (SEE PARA 6 BELOW RE DAO ALTERNATIVE). THE SHIFT IN FUNCTION FROM ADVISORY TO LIAISON SEEMS PERFECTLY PERMISSIBLE WITHIN THE EXPRESSED PURPOSE OF THE 1945 AGREEMENT, VIZ., "TO COOPERATE WITH THE MINISTRY OF PUBLIC SECURITY". WE FORESEE ABSOLUTELY NO DIFFICULTY WITH REGARD TO ACCEPTANCE BY THE GOCR OF OUR EXPLANATION RE THIS SHIFT IN BOTH CONCEPT AND FUNCTION. IN SHORT THERE WOULD BE CONTINUITY IN THE LEGAL BASIS OF THE OFFICE AND FROM THE POINT OF VIEW OF THE GOCR, WHICH HAS CONSISTENTLY EXPRESSED ITS DESIRE TO MAINTAIN ITS CONTACT WITH THE US MILITARY. THE CHANGE IN SHORT WOULD BE OUR INTERNAL DETERMINATION. MOREOVER, THE TIMING OF SUCH A CHANGE PRIOR TO THE INAUGURATION OF A NEW GOVERNMENT IN MAY WOULD MAKE THE TRANSITION THAT MUCH EASIER.

6. I BELIEVE THAT THIS OVERALL CONCEPT IS THE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 SAN JO 00239 02 OF 02 222317Z

ONLY REASONABLE AND LOGICALLY DEFENSIBLE BASIS FOR THE CONTINUANCE OF US MILITARY REPRESENTATION HERE. NO OTHER ALTERNATIVE IS USEFUL. MAINTENANCE OF A FOUR-MAN MILGRP TO PERFORM ONLY THE LIAISON AND AUXILIARY FUNCTIONS I PROPOSE ABOVE WOULD CONSTITUTE A WASTE OF MEN AND RESOURCES WHICH I COULD NOT JUSTIFY. ON THE OTHER HAND, TO ELIMINATE MILITARY REPRESENTATION ALTOGETHER WOULD BE TO FOREGO IMPORTANT FUNCTIONS AND EXPERTISE AND TO RISK WRONG CONCLUSIONS BY THE NEW GOCR AS TO OUR WILLINGNESS TO COOPERATE WITH IT. WE REALLY WOULD HAVE NO ONE ON THE STAFF TO DEAL ADEQUATELY AND PROFESSIONALLY WITH THE GUARD AND MINISTRY IN A VARIETY OF UNAVOIDABLE CONTACT REQUIREMENTS. I REPEAT MY OPPOSITION TO THE REESTABLISHMENT OF A DAO AS A WAY OF MEETING THESE NEEDS FOR THE REASONS EXPLAINED IN LAST YEAR'S CASP. IN PARTICULAR, I BELIEVE THAT TO ACCREDIT MILITARY OFFICERS DIPLOMATICALLY TO A COUNTRY WHOSE CONSTITUTION PROHIBITS MILITARY FORCES ACCENTUATES RATHER THAN DIMINISHES THE ANOMALIES.

7. IT WILL BE OBVIOUS FROM ALL THE FOREGOING THAT MY CONCLUSION IS THAT THE CIVIL AND RURAL GUARDS ARE ESSENTIALLY POLICE FORCES. THE DEFENSE MISSION THEY HAVE IS A CONTINGENT ONE WHEREAS EVERY UNIT HAS A SPECIFIC AND PRIMARY POLICE MISSION. THERE IS NO BLINKING THE FACT THAT THESE ARE POLICE FORCES. I WISH TO EMPHASIZE HOWEVER THAT I BELIEVE THE COSTA RICAN CASE TO BE SUI GENERIS. I DO NOT BELIEVE THERE IS NECESSARILY ANY EXEMPLARY OR PRECEDENT EFFECT WITH REGARD TO ANY OTHER SITUATION. THEREFORE, I HOPE THAT THE DECISION ON THIS RECOMMENDATION CAN BE MADE IN TERMS OF THE INTRINSIC CIRCUMSTANCES AND REALITIES OF COSTA RICA ITSELF.

8. ACTION REQUESTED: THAT THIS RECOMMENDATION
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 SAN JO 00239 02 OF 02 222317Z

BE APPROVED.
VAKY

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY ATTACHES, MILITARY ADVISERS, PERSONNEL APPOINTMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974SANJO00239
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: SAN JOSE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740124/aaaaawqt.tel
Line Count: 276
Locator: TEXT ON-LINE
Office: ACTION PM
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 11 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <11 SEP 2002 by WorrelSW>; APPROVED <09 DEC 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: RECOMMENDATION FOR CHANGE IN COSTA RICAN MILGRP BEGIN SUMMARY. THE LETTER AND SPIRIT OF THE
TAGS: MILI, CS
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005